

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

REBECCA W. THURMAN,)	
)	
Plaintiff,)	
)	Case No. 1:12-CV-178
v.)	
)	Chief Judge Curtis L. Collier
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

ORDER

On July 20, 2012, United States Magistrate Judge Susan K. Lee filed a report and recommendation (“R&R”) (Court File No. 4) regarding Plaintiff Rebecca W. Thurman’s (“Plaintiff”) Application to Proceed *In Forma Pauperis* (“Application”) (Court File No. 2). The magistrate judge recommended that Plaintiff’s Application be denied and the case be closed because the Application lacked sufficient information for the court to determine Plaintiff’s indigence and Plaintiff failed to supplement the Application within the thirty-day time period allowed by the court. Plaintiff filed a timely objection to the R&R (Court File No. 5). Plaintiff concedes the Application lacked the requisite information and that she failed to supplement the Application during the time period allowed. Therefore, she is not requesting reconsideration of the magistrate judge’s recommendation to deny her Application. Instead, she merely requests that the case not be closed, especially since she subsequently paid the filing fee and the complaint was timely filed.

The Court agrees with the magistrate judge’s recommendation that Plaintiff’s Application should be denied because it was incomplete and never properly supplemented. At the same time, this issue is now moot because Plaintiff has submitted her filing fee. Moreover, Plaintiff has submitted a timely complaint. Therefore, no grounds remain for dismissal of the case. Accordingly, the Court

ACCEPTS and **ADOPTS IN PART** the magistrate judge's findings of fact, conclusions of law, and recommendations in the R&R (Court File No. 4). Defendant's Application shall be **DENIED as MOOT** (Court File No. 2). The Court **REJECTS** the magistrate judge's recommendation that the case be closed. Plaintiff's case shall proceed before this Court.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE